Se 0 to 0.0015%

and has the following optical properties:

$20\% < TLA4 < 40\%$

$15\% < TE4 < 25\%$

$0\% < TUV4 < 5\%$

$480\ nm < \lambda_D < 520\ nm$

$10\% < P < 20\%$

$SE4 > 1.65.$

REMARKS

Claims 20-22, 28, 29, 32-36 and 38-42 remain pending in this application. Applicants wish to thank the Examiner for the thorough search and careful consideration of the prior art and the claims of the instant application. For convenience in the Examiner's consideration of the following remarks, it is pointed out that most if not all of the features of claims 30 and 31 have been included into claim 20 which is the sole independent claim.

1. The rejection of claims 23 and 24 under 35 U.S.C. § 112 is respectfully traversed. Since these claims depended from claim 20, which referred to "light transmission (TLA4)", it is submitted that there was no lack of clarity. This explanation is presented for completeness although claims 23 and 24 have now been canceled.

2. The rejection of claims 20-38, 40 and 41 under 35 U.S.C.§ 102(b) as anticipated by Seto et al (EP 825 156 A1) is respectfully traversed.

Seto et al discloses, at page 5, lines 26-27 (with reference to the examples in the tables) "FeO converted to Fe_2O_3/T-Fe_2O_3 rate". Applicants submit that merely "multiplying" the values given in this reference does not actually provide the FeO content but, in actuality, the FeO content converted to Fe_2O_3. In order to properly calculate the effective FeO content, it is necessary to divide this latter value (FeO content converted to Fe_2O_3) by the molecular

weight of Fe_2O_3 and to multiply by 2 and by the molecular weight of FeO. On this basis, it is submitted that the values of 0.12 and 0.88 weight % in the second paragraph of page 3 of the Office Action are incorrect.

Similarly, Examples 3, 7, 12, 14 and 18-20 cited by the Examiner do not anticipate amended claim 20. The following table demonstrates the proper calculations following the procedure described in the preceding paragraph. Applicants have indicated in bold font, for each of the examples, those features which are outside the range of amended claim 20. It is further noted that the TUV disclosed in the Seto et al reference is not even measured the same way as described in the instant application.

	Seto Example 3	Seto Example 7	Seto Example 12	Seto Example 14	Seto Example 18	Seto Example 19	Seto Example 20
Fe_2O_3 (%)	1.7	1.7	1.8	**1.9**	1.5	1.4	1.3
FeO (%)	**0.367**	**0.398**	**0.673**	0.410	**0.391**	**0.378**	0.468
Co (%)	0.0089	0.0074	0.0094	0.0074	0.0059	0.0091	0.0059
Cr_2O_3 (%)	/	/	/	/	/	/	/
V_2O_5 (%)	/	/	/	/	/	/	/
Se (%)	0.0002	/	0.0001	/	/	0.0002	/
TLA4 (%)	34.1	35.4	32.9	23.0	30.4	28	30.4
TE4 (%)	20.6	19.7	19.5	**10.2**	15.4	16.1	15.4
TUV4(%)	2.8	3.0	2.1	0.9	3.9	1.6	3.9
λ_D (nm)	494	499	495	511	520	**525**	514
P (%)	**7.7**	**6.8**	**8.2**	**7.3**	**8.3**	**9.8**	**8.3**

Based on the foregoing, it its submitted that none of the examples cited by the Examiner anticipate the combination of composition and optical properties as defined in amended claim 20. In fact, the excitation purity for all these examples is below the claimed range.

It is submitted, therefore, that amended claim 20, and all claims depending therefrom, are novel under 35 U.S.C. § 102 (b), are not anticipated by this reference, and are therefore patentable.

Incidentally, should the Examiner disagree with the mode of calculation described above, then the reference should be considered to be ambiguous and non-enabling in regard to the actual amounts of the relevant ingredients.

3. The rejection of claims 20-34 and 38-42 under 35 U.S.C. § 102(e) as anticipated by Gulotta et al (U.S. 5,393,593) is respectfully traversed. None of the examples in the Gulotta et al reference anticipate amended claim 20. Examples 28 and 29 cited by the Examiner (and Applicants thank the Examiner for providing the comparison table on page 4 of the Office Action) were not applied by the Examiner to claims 30 and 31 which have been canceled and most if not all of the details of which are now presented in the sole independent claim which is claim 20. Accordingly, it is submitted that there is no basis for a rejection of claim 20 under 35 U.S.C. § 102 based on the Gulotta et al patent.

4. The rejection of claims 39 and 42 under 35 U.S.C. § 103 as obvious based on the patents to Seto et al and Goodman et al is respectfully traversed. First, as explained above, even Seto does not meet the language of the independent claim 20. Goodman et al was not cited for a rejection of any part of original claim 20, but only for the additional features of claims 39 and 42. Since neither Seto et al nor Goodman et al meet the language of amended claim 20, then neither these two references, alone or in combination, suggest, teach or make obvious the inventions of claims 39 and 42.

5. The rejection of claims 20-36, 38 and 40-42 under 35 U.S.C. § 103 as unpatentable over Shelestak et al is respectfully traversed. The Shelestak et al patent is a continuation-in-part and has an effective date as a reference only as to its actual filing date (September 3, 1999) except as to subject matter which appears in the parent application and which is disclosed in the parent application in accordance with the requirements of 35 U.S.C. § 112. Applicants' international filing date is July 26, 1999 based on a priority date of July 31, 1998. Accordingly, it is submitted that this Shelestak et al patent is not effective as a reference because it is has too late a date, unless the Examiner demonstrates that the subject

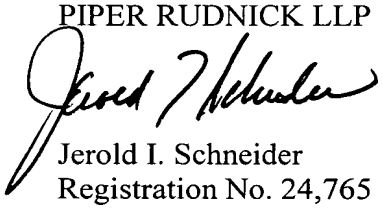
matter relied upon for the rejection was in disclosed in the original application and the disclosure thereof complied with the requirements of 35 U.S.C. § 112.

CONCLUSION

For each of the foregoing reasons, reconsideration and allowance of all remaining claims is solicited. Should the Examiner be of the opinion that a telephone conference or personal interview would expedite the prosecution of this application, the Examiner is requested and encouraged to call Applicants' attorney at the telephone number given below.

Respectfully submitted,

PIPER RUDNICK LLP



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DOCKET NO.: 4004-012-30

MARKED-UP COPY OF AMENDED CLAIMS

20. (Amended) A colored soda-lime glass composed of glass-forming principal constituents and of coloring agents, characterized in that it [contains from 0.40 to 0.52% by weight of FeO and has, under illuminant A and for a glass thickness of 4 mm, a light transmission (TLA4) of less than 70%, a selectively (SE4) of greater than 1.65 and an ultraviolet radiation transmission (TUV4) of less than 8%] comprises coloring agents in the following percentages by weight, the total amount of iron expressed in the form Fe_2O_3:

Fe_2O_3	1.2 to 1.85%
FeO	0.40 to 0.50%
Co	0.0020 to 0.0130%
Cr_2O_3	0 to 0.0240%
V_2O_5	0 to 0.1%
Se	0 to 0.0015%

and has the following optical properties:

$20\% < TLA4 < 40\%$

$15\% < TE4 < 25\%$

$0\% < TUV4 < 5\%$

$480\ nm < \lambda_D < 520\ nm$

$10\% < P < 20\%$

$SE4 > 1.65$.